



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

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Carlos De La Torre, P.E., Director

February 29, 2012

Mr. Joshua Fields
Rainbow Solar Facility
2425 Olympic Boulevard, Ste 500 East
Santa Monica, CA 90404

Mr. David Bohn
Kinetix Engineering and Consultation
12 N. Center Street
Mesa, AZ 85201

Mr. Richard Noble
8375 Steel Bridge Road
Sheridan, OR 97378

RE: Rainbow Solar Facility Special Use Appeal (Docket SU-11-13)

Gentlemen:

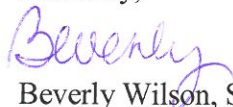
The Board of Supervisors is scheduled to hear this Appeal on March 13, 2012. After speaking with both Richard and Josh last week regarding possible solutions to the drainage and grading issues on which this appeal is based, County staff met this morning to propose a resolution. Together, our County Engineer, Karen Riggs; County Floodplain Engineer, Tim Mazanek; and the Director of Community Development, Carlos De La Torre, P.E., have developed the following proposed conditions to be agreed upon in writing by both parties prior to asking Mr. Noble to withdraw his appeal. We feel that these conditions will be fair and equitable for all parties, including the owner of the adjacent parcel to the east of this site, Mrs. Carol Riggs. Mrs. Riggs has expressed her concern over the grading plan at the original Planning and Zoning Commission hearing in January of 2012.

The principle concern for opposing this project is centered on the issues of the existing conditions and natural rainfall/runoff flow. New conditions will be created by the construction and installation of the new impervious surfaces of the solar panels as well as the grading and vegetation removal of the site. The concept drainage and grading plan submitted by Kinetix Engineering and Consulting proposes to change the natural drainage by diverting all existing and newly created stormwater runoff to the northeast corner of the site into a detention/retention basin. It appears from a brief examination of the existing topography that approximately 2/3 of the site drains naturally to the eastern boundary with 1/3 draining to the north and northeastern boundaries. With this in mind, Staff is proposing the following conditions:

1. Land Clearing Plans - If this project is phased, the phasing and land clearing plans must be approved prior to commercial permit issuance to accurately address potential drainage issues.
2. Retain Natural Drainage Patterns - The grading and drainage design submitted with the commercial permit application will address the existing runoff and natural drainage pattern from east to west and will ensure those drainage flow patterns to the east remain intact. The proposed boundary roads will be redesigned with the natural topography to allow this flow pattern to continue.
3. Basin Perspective - The new grading and drainage design will address the runoff increase created by the grading of virgin ground and the creation of more impervious surface area. Possible design solutions include relocating or adding additional retention/detention basins along the eastern and northern boundaries to prevent flooding of adjacent properties. These basins must be maintained by the owner into perpetuity to preserve capacity.
4. All cleared areas of the site (except drainage basins) must be revegetated by approved hydro-seeding/mulching after the installation and construction work is completed (or as phased). The area surrounding the proposed buildings will still be covered with 2" of gravel, as agreed.
5. Develop and implement creative drainage solutions that would mitigate and address the increased runoff resulting from the increase of impervious surface area by constructing on-site infiltration wells and/or trenches, spreader dikes or other combination of treatments. These measures are intended to reduce the increased runoff resulting from the proposed development as well as to ensure that the natural drainage patterns are retained after development in accordance with the Cochise County Floodplain Regulations.

To avoid the Appeal action, we will need to have your signed acceptance of these conditions as appropriate to mitigate all areas of concern. Please sign and return via email or fax as soon as possible.

Sincerely,



Beverly Wilson, Senior Planner